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303 (d) Deadline: 1/31/06

**Barnum Timber Company  
P.O. Box 1365  
1610 Highland Ave.  
Eureka, CA 95502**

January 17, 2006

**VIA EMAIL**

Selica Potter  
Acting Clerk to the Board  
State Water Resources Control Board  
Executive Office  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

**RE: REVISION TO FEDERAL CLEAN WATER ACT SECTION 303(d) LIST  
OF WATER QUALITY LIMITED SEGMENTS FOR CALIFORNIA**

**REDWOOD CREEK, HUMBOLDT COUNTY**

Dear Board Members:

I represent Barnum Timber Company, hereafter "Barnum," a landowner in the Redwood Creek watershed in Humboldt County, California. I am providing information to the State Water Board regarding conditions in Redwood Creek in response to the public solicitation for comments and information on proposed revisions of the federal Clean Water Act section 303(d) list of water quality limited segments.

Barnum has been concerned about the listing of Redwood Creek as an impaired water body under Section 303(d) of the Clean Water Act since its original listing in 1993. Since that time, Barnum has endeavored to gather and assimilate all available information relating to conditions in Redwood Creek. Barnum submits this information to assist you in making better informed decisions regarding Redwood Creek and other North Coast water bodies, particularly in deciding whether, in fact, Redwood Creek should continue to be listed as impaired. Please take the time to fully review the information provided. This compilation of information is likely the most comprehensive ever assimilated regarding conditions of a California water body and has been produced over a time spanning nearly a decade at a cost of several hundred thousand dollars.

We understand that the Board and its staff failed fully to review, consider and employ Barnum's submission in 2001, and claimed that it found the submission confused and not wholly user friendly. Our submission in 2001 was orderly and included an annotated index. We trust that this effort will ensure that full and proper consideration will be given to this submission during this proceeding.

"The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses."

Even though this narrative standard is extremely vague, in order for Redwood Creek to be listed as impaired due to sediment, there still must be substantial evidence in the record that the suspended sediment load and suspended sediment discharge rate have been altered so as to cause a nuisance or so as to adversely affect beneficial uses.

The evidence that was the administrative basis of the original listing and the subsequent re-listings of Redwood Creek was very limited and mostly anecdotal. The listing was based primarily on a report from the Humboldt Chapter of the American Fisheries Society and a letter from the U.S. Fish and Wildlife Service. Neither contained any scientific data regarding conditions in Redwood Creek. The American Fisheries Society letter amounted to little more than an opinion poll of the group's members without any specific data regarding sediment conditions in Redwood Creek. Similarly, the Fish and Wildlife Service letter was based solely on the opinions of various federal regulators and contained no data on the sediment conditions in Redwood Creek.

The Board's case for its "temperature" listing of Redwood Creek is similarly flawed. The *entire* evidence supporting the Board's 2002 Maximum Weekly Average Temperature ("MWAT") of 14.8 degrees Celsius is a single study of temperatures of rivers in Washington, Oregon, and Idaho – none in California – all scores or hundreds of miles north of Redwood Creek. No evidence exists to suggest that the MWAT is even achievable, much less sustainable, in Redwood Creek.

Conversely, the materials accompanying and incorporated by reference into this letter provide a comprehensive set of both historical and current scientific data and information regarding conditions in the Redwood Creek watershed. This newly provided information should provide the regional and state boards with a much more comprehensive understanding of the actual conditions. The materials accompanying and incorporated by reference into this letter show that Redwood Creek:

1. like all river systems, is naturally dynamic, in a constant state of change;
2. currently has sediment conditions well within the range of historical conditions and not significantly different from the sediment conditions that existed prior to significant timber harvesting occurring in the watershed and prior to the major floods that occurred between the mid 1950s and mid 1970s;
3. currently supports healthy and productive populations of anadromous fish with reproduction levels at or above the carrying capacity of pristine river systems, amongst the highest recorded for West Coast streams;

3. A library of reports, studies, photographs and other materials that includes 479 different sources of information related to conditions in Redwood Creek. Included are the materials cited in "*A Study in Change: Redwood Creek and Salmon*" as well as numerous additional materials. The library is organized in alphabetical order by the primary author's last name or a file name.
4. Reference lists to assist the reviewer in identifying the material in the library by key words. Included is a spreadsheet listing those documents in the library that are related to a number of key subject areas. The relevant documents for each key word are listed by their individual reference ID number. Accompanying the key word spreadsheet are two reference lists showing the author, date, title, reference ID number and file name of each particular reference. One reference list is organized in order of the reference ID number. The other is organized in alphabetical order by author or file name. A reviewer should identify the reference ID number of the references associated with a particular subject area from the spreadsheet, locate the author, date and title from the reference list organized by ID number, and then locate the reference in the library in alphabetical order. If a particular document is not found in the library in alphabetical order, it is contained in a "library file." The library files are also shown on the reference lists and occur within the library in alphabetical order by file name. An example of where a file is necessary is where a scientific report is a part of compendium of many reports by several authors.
5. An electronic bibliography contained in a database constructed using software entitled "*Reference Manager, Version 9.*" The data base file is entitled "redwood creek file2.rmd," and is included on the computer disks provided by Barnum. If the reviewer has access to this particular software, it will be very helpful in review. I can provide assistance in utilizing the database.
6. A report entitled "*Redwood Creek Rotary Screw Trap Downstream Migration Study Redwood Valley, Humboldt County, California April 4 - August 5, 2000,*" prepared by Michael Sparkman for Doug Parkinson. This report documents the results of the operation of a rotary screw trap in Redwood Creek by the Redwood Creek Landowners Association in cooperation with the U.S. Fish and Wildlife Service during the Spring and Summer of 2000 to estimate the population of downstream migrating salmonids. The report documents that large numbers of out migrating Chinook salmon and steelhead trout (much higher numbers than other rivers sampled). This study has continued annually, and additional data is available from the California Department of Fish and Game.
7. A spreadsheet created in "*Microsoft Excel*" that contains the data that was generated from the monitoring of the rotary screw trap in Redwood Creek during 2000. The spread sheet is entitled "RC RST 2000.xls," and is included